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AT ROANOKE, VA
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Civil Action No. 7:05cv00743

MEMORANDUM OPINION
AND ORDER

By: Samuel G. Wilson
United States District Judge

A district court should award preliminary injunctive relief sparingly and only when the party seeking relief has demonstrated actual, imminent, irreparable harm. Rum Creek Coal Sales, Inc. v. Caperton, 926 F.2d 353, 360 (4th Cir. 1991); Manning v. Hunt, 119 F.3d 254, 263 (4th Cir. 1997); Direx Israel, Ltd. v. Breakthrough Medical Group, 952 F.2d 802, 812 (4th Cir. 1991)(citation omitted). As this court does not require that pro se pleadings be typewritten, the court finds that limited access to computers or typewriters will not impede Gibson's ability to access the courts. Further, as petitioner admits that he has access to written legal research

materials and has failed to present any evidence which reasonably suggests that those materials are insufficient to prepare his pleadings in this matter, the court finds that he has failed to demonstrate any harm posed by his lack of Internet access. As to petitioner's request for counsel and/or assistance in preparing his pleadings and his request for a "law firm setting" for meetings, the court finds that petitioner has not shown adequate cause for appointment of counsel in the sense contemplated by Cook v. Bounds, 518 F.2d 779 (1975) (holding that only under the most exceptional circumstances should a district court request an attorney to represent an indigent litigant in a civil case). Accordingly, it is **ORDERED** that Gibson's motion for a preliminary injunction and for appointment of counsel is **DENIED**.

The Clerk of the Court is directed to send a certified copy of this Memorandum Opinion and Order to plaintiff.

ENTER: This 21 of Feb ~~January~~, 2006.


UNITED STATES DISTRICT JUDGE